

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Cliff Hartsell

Application No: 10/772,702

Filed: February 5, 2004

For: FOWL RETENTION AND
TERRITORY COMPRESSION SYSTEM

§ Atty. Docket No: H-0900.03
§
§ Examiner: A. Valenti
§
§ Group Art Unit: 3643
§
§
§

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

MAIL STOP NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Cliff Hartsell, of 100 percent interest in the referenced application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the referenced application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on the pending second Application Number 10/738,236, filed on December 17, 2003, of any patent granted on the pending second application. The owner hereby agrees that any patent so granted on the referenced application shall be enforceable only for and during such period that it and any patent granted on the pending second application are commonly owned. This agreement runs with any patent granted on the referenced application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the referenced application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 -156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all

claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to it grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The \$65.00 terminal disclaimer fee required under 37 C.F.R. §120(d) is included.

The undersigned is an attorney of record.

Respectfully submitted,

LAW OFFICES OF CHRISTOPHER L. MAKAY
1634 Milam Building
115 East Travis Street
San Antonio, Texas 78205
(210) 472-3535

DATE: 17 March 2005

BY: 

Christopher L. Makay
Reg. No. 34,475

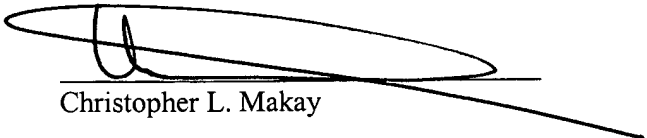
ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EV 486463216 US

Date: 17 March 2005


Christopher L. Makay